



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: 5207

Keiichi ITO, et al.

Art Unit: 3742

Application No.: 10/674,360

Examiner: John A. Jeffery

Filed: October 01, 2003

Attorney Dkt. No.: 024656-00029

For: HYBRID HOT AIR HEATER

TERMINAL DISCLAIMER UNDER 37 CFR 1.321

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Petitioner, **Rinnai Corporation**, having its place of residence at 2-26 Fukuzumi-Cho, Nakagawa-Ku, Nagoya-Shi, Aichi-Ken, 454-0802, Japan, represents that it is the assignee and owner of all right, title, and interest in and to U. S. Patent Application Serial No. **10/674,360**, filed October 21, 2003, for HYBRID HOT AIR HEATER, the assignment for the application being recorded in the Patent and Trademark Office on October 1, 2003 at Reel 014564, Frame 0659.

Petitioner is also the assignee and owner of all right, title, and interest in and to U. S. Patent No. **6,795,643**, issued September 21, 2004, for HYBRID HOT AIR HEATER, the assignment for this patent being recorded in the Patent and Trademark Office on December 4, 2003 at Reel 014766, Frame 0681.

Petitioner hereby disclaims the terminal part, if any, of any patent granted on application Serial No. **10/674,360**, which would extend beyond the expiration date of patent

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No. **6,795,643**, and hereby agrees that any patent so granted on application Serial No. **10/674,360**, shall be enforceable only during such period that the legal title to such patent shall be the same as the legal title to patent No. **6,795,643**, this agreement to run with any patent granted on the application Serial No. **10/674,360**, and to be binding on its grantee, its successors, or assigns.


Petitioner does not disclaim any terminal part of any patent granted on application Serial No. **10/674,360** prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of patent No. **6,795,643** in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned hereby states and declares that I have the authority to execute this Terminal Disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of

the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,
For: John A. Jeffery

By: 
Murat Ozgu
Attorney for Petitioner
Reg. No. 44,275

Date: November 30, 2004